

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DONALD MCCUTCHAN

Plaintiff,

v.

CLUB EXPLORIA, LLC

Defendant

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**CIVIL ACTION NO.
3:21-CV-01871**

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

TO THE HONORABLE UNITED STATES JUDGE:

Plaintiff, Donald McCutchan (“Plaintiff”), and Defendant, Club Exploria, LLC (“Exploria”), file their Joint Stipulation of Dismissal with Prejudice, and respectfully show the Court the following:

1. Plaintiff and Exploria have reached a settlement of all claims, defenses and disputes between them in this cause.
2. Accordingly, the parties respectfully request that this Court dismiss all claims filed in this cause with prejudice to their being re-filed.
3. The parties agree to each bear their own attorneys’ fees, costs and other expenses incurred because of this lawsuit or because of the claims involved in this lawsuit.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Exploria respectfully request this Court to dismiss this cause with prejudice to it being re-filed, with each party to bear its own costs and attorneys' fees.

Dated: June 14, 2022

Respectfully submitted,

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*Signed with permission

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**ATTORNEYS FOR
DEFENDANT CLUB EXPLORIA, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on this 14th of June, 2022, I filed the foregoing electronically through the CM/ECF system, which caused all parties or counsel to be served by electronic means.

/s/ Kathleen H. Grossman

Kathleen H. Grossman

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**CIVIL ACTION NO.
3:21-CV-01871**

**ORDER ON JOINT STIPULATION
OF DISMISSAL WITH PREJUDICE**

On _____, 2022, the Court considered the Joint Stipulation of Dismissal with Prejudice. After considering the Joint Stipulation of Dismissal with Prejudice, the Court **GRANTS** this Stipulation.

It is hereby **ORDERED, ADJUDGED, and DECREED**, that all of Plaintiff, Donald McCutchan's, claims against Defendant, Club Exploria, LLC, are hereby dismissed with prejudice, with costs of court being assessed against the party incurring same.

Signed this the _____ day of _____, 2022.

THE HONORABLE ROBERT D. MARIANI
UNITED STATES DISTRICT JUDGE